D.B. CIVIL SPECIAL APPEAL NO.215/2006

Yogesh Kumar Sharma **Vs.** The Special Judge, NDPS, Cases Court & Ors.

Date : 17.5.2006

PRESENT

HON'BLE JUSTICE MR. RAJESH BALIA
HON'BLE JUSTICE MR. R.P. VYAS

Mr. Mahesh Bora for the appellant.

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Having heard learned counsel for the appellant, we are of the opinion that no case is made out for challenging the order of appointing new enquiry officer in place of previous one on administrative ground. The learned Single Judge was justified in not interfering the order in exercise of extra-ordinary jurisdiction of this Court.

The enquiry against the appellant is pending since 2001. The objection of the appellant was about the continuance of the enquiry by the enquiry officer initially appointed. The same was changed at his request. The enquiry is pending since then for long and it appears that by raising such objection, enquiry proceedings are further delayed. Now according to him, the new appointment enquiry officer has not been on administrative ground. This

contention is as vague as it can be. There is no foundation for such allegation.

There is no reason that the petitioner should not cooperate so that the enquiry can be concluded within reasonable time.

The appeal is, therefore, rejected.

[R.P. VYAS], J. [RAJESH BALIA], J.

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